



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Northeast Fisheries Science Center
166 Water Street
Woods Hole, MA 02543-1026

May 2, 2007

MEMORANDUM FOR: Northeast Fisheries Observer Program Observers

FROM: David Potter
Branch Chief, FSB

SUBJECT: Turtle Chain Regulation Reminder

This is a reminder that effective May 1, 2007 through November 30, 2007, vessels with a Federal Atlantic sea scallop permit, regardless of dredge size or vessel permit category, present in waters south of 41° 9.0' N latitude, from the shoreline to the outer boundary of the Exclusive Economic Zone must have on each dredge a turtle chain mat configuration. When filling out the Scallop Dredge Gear Characteristics Log, be sure to note the correct chain configuration. The turtle chain mat must be composed of tickler chains and rock chains that are configured such that the length of each side of the square or rectangle formed by the intersecting chains is less than or equal to 14 inches. The chains must be connected to each other with a shackle or link at each intersection point. Confirm with the captain that they are fishing with a turtle chain mat configuration. Always comment in detail and if there is any confusion, draw a picture of the configuration or take a photograph.

Updated Incidental Take Reporting Requirement for OBSCON

If a marine mammal, sea turtle or sea bird is incidentally taken on a trip, the end haul position (Pos1 and Pos2) **MUST** be recorded in latitude and longitude. **DO NOT RECORD LORAN IN THIS FIELD.** Use the CalPosData program if you need to convert the haul positions to latitude and longitude.

You must also record the complete alphanumeric number(s) from the tag(s) that you attach, or that were already attached to the animal in the **NOTES** field on the INC TAB. Be sure to include the PSID number with the corresponding tag number(s).

If you have any further questions, please contact Erin Kupcha at (508) 495-2031 or Erin.Kupcha@noaa.gov.

Attachments:

Atlantic Sea Scallop Permit Holder Letter and Turtle Chain Mat configuration picture
Updated INC TAB iPAQ OBSCON Instructions





NOV 15 2006

Small Entity Compliance Guide

Dear Atlantic Sea Scallop Permit Holder:

This is to inform you that NOAA's National Marine Fisheries Service has issued a final regulation (71 FR 66466) that removes one of the options for configuring chain mats in the mid-Atlantic sea scallop dredge fishery. This final regulation is effective November 18, 2006. In August 2006, NMFS published a final rule to require the use of a chain-mat modified dredge in the mid-Atlantic sea scallop fishery ("chain mat regulation"). The August 2006 regulation provided the vessel with two options for configuring the chain mats. Under the first option, the vessel was required to modify the dredges using a specified number of evenly spaced horizontal (tickler) chains and vertical (up-and-down) chains. The number of chains required was specified based on dredge width. Under the second option, the vessel was required to configure an unspecified number of chains, however many would be needed, such that the length of each side of the squares or rectangles formed by the chains is less than or equal to 14 inches. NMFS believed that the two options produced the same results, namely rectangles or squares with sides measuring 14 inches or less. Shortly after the chain mat regulation went into effect, NMFS became aware that, depending on the dredge width and configuration, using the specified number of chains may result in openings greater than 14 inches. With this new final regulation, NMFS has corrected this discrepancy by requiring only the second option for the configuration of the chain mats. That is, scallop dredge vessels are required to configure the chains such that the length of each side of the squares or rectangles formed by the intersecting chains is less than or equal to 14 inches. NMFS is aware that as the links in the chain wear with time, the chains will become longer ("stretch"). This wear depends on several factors including the type of chain and the bottom habitat fished. Fishermen should be aware of this "stretch" and take it into account when configuring the gear so that, as the chains wear, the length of the sides maintain a spacing of less than or equal to 14 inches. The area affected by the regulation remains waters south of 41° 9.0' N latitude. The regulation is in effect May 1 through November 30 each year.

How to comply with the regulation

During the time period of May 1 through November 30, any vessel with a sea scallop dredge and required to have a Federal Atlantic sea scallop fishery permit, regardless of dredge size or vessel permit category, present in waters south of 41° 9.0' N. latitude, from the shoreline to the outer boundary of the Exclusive Economic Zone must have on each dredge a chain mat described as follows. The chain mat must be composed of horizontal ("tickler") chains and vertical chains that are configured such that the length of each side of the square or rectangle formed by the intersecting chains is less than or equal to 14 inches (35.5 cm). The chains must be connected to each other with a shackle or link at **each** intersection point. The measurement must be taken along the chain, with the chain held taut, and include one shackle or link at the intersection point and all links in the chain up to, but **excluding**, the shackle or link at the other intersection point. In addition, any vessel that harvests sea scallops in or from the waters described above and that is required to have a Federal Atlantic sea scallop fishery permit must have the chain mat configuration installed on all dredges for the duration of the trip.

You may receive permit holder letters by email by clicking on "Permit Holder Letters" on our website at <http://www.nero.noaa.gov>. This Small Entity Compliance Guide complies with section 212 of the Small Business Regulatory Enforcement Fairness Act of 1996. Thank you for your continued support in the protection of endangered and threatened sea turtles in the mid-Atlantic.

For more information on these regulations, call 978-281-9300 x6505 or visit http://www.nero.noaa.gov/prot_res/ProResDiv/LinkforSeaTurtles.htm.

Sincerely,


Patricia A. Kurkul
Regional Administrator

Sea Scallop Dredge Chain Mat Requirement

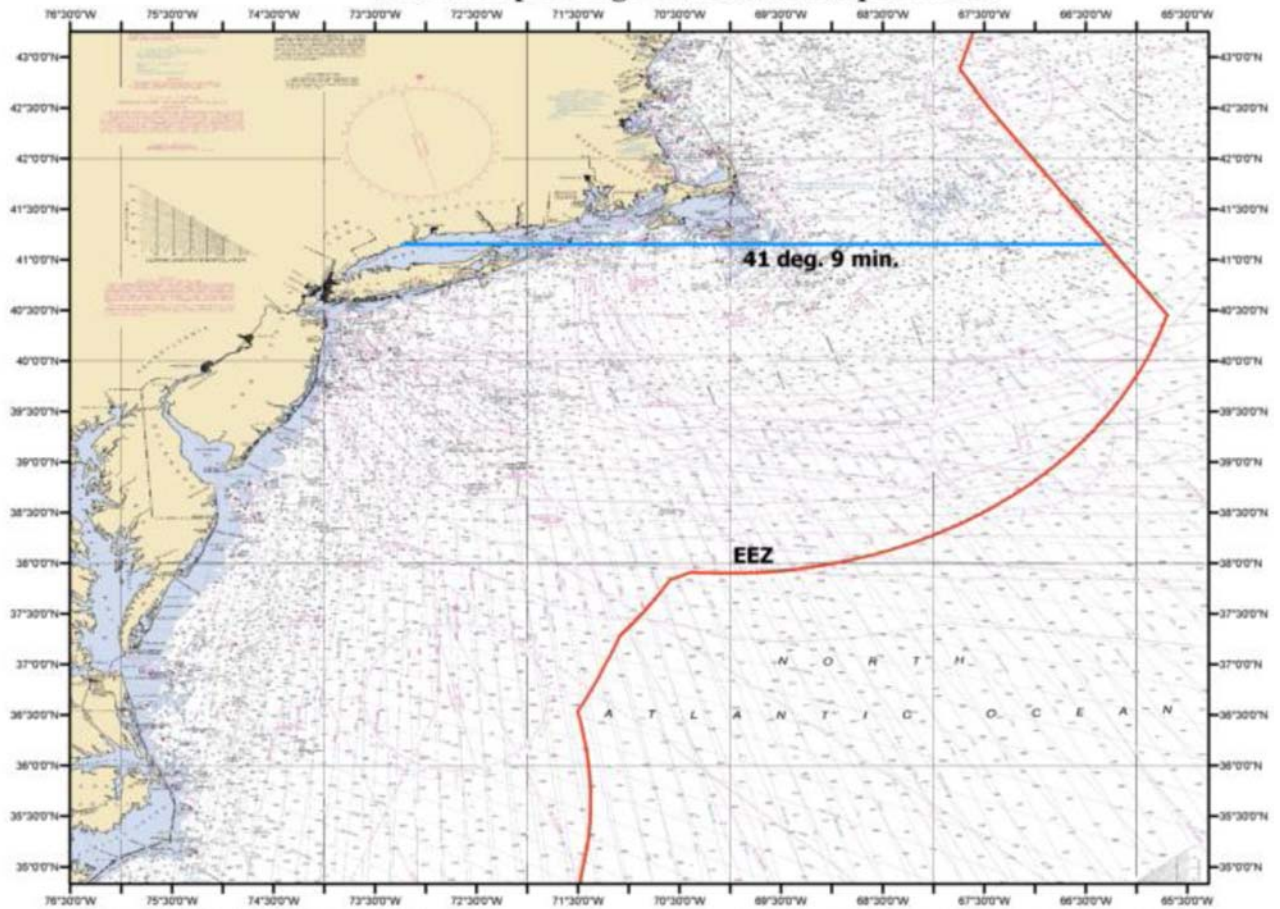


Chart Name: Cape Sable to Cape Hatteras
 Chart #: 13003_1
 - Not for navigational purposes
 - Depth units = fathoms

Chain-mat modified sea scallop dredges are required south of 41 deg 9 min. North latitude (blue line) from the shoreline to the Exclusive Economic Zone (red line) from May 1 through November 30 each year.



New Bedford-style scallop dredge rigged with turtle chain.

INC TAB

If a marine mammal, sea turtle or sea bird is incidentally taken on this trip, complete the required information on the INC tab.

The screenshot shows the iPAQ INC tab interface. The form contains the following fields and values:

- PSID: 1
- Species: PORPOISE, HARBOR
- Pos1: 4144.1
- Pos2: 6908.0
- Samptaken: Y
- Samploc: Observer's Freezer

Buttons: Notes, Save, Cancel

Menu bar: File, Sap, Reports, Help

Status bar: Trip, VMS, Inc, SAP, Complete

27. PSID: Record the consecutive protected species identification number (PSID) that was assigned to each animal that was incidentally taken on this trip. Make sure that the PSID number matches the incidental take species as recorded on the Marine Mammal, Sea Turtle and Sea Bird Incidental Take Log. Click on "OK".

NOTE: If there is more than one animal taken on this trip, first complete #27 - 34 for that particular PSID and save the information. Then, record the next PSID number and follow the same procedure for each animal.

NOTE: Do not use preceding zeros for the iPAQ reporting.

28. #: To change the PSID entered or to delete a PSID, first click on the # sign. Then to change the PSID entered, click on the PSID that needs to be changed and enter the correct PSID in the "New PSID" field and then click on "Rename".

To delete a PSID, click on the PSID and then click on "Delete PSID". The iPAQ program will ask if you are sure you want to delete the PSID and the related data.

After all changes are made, click on "ok" in the top right hand corner of the screen.

29. SPECIES: Record the common name of the marine mammal, sea turtle or sea bird incidentally taken on this trip using the drop down menu. The species are listed in alphabetical order. The species listed in this field **must** match the incidental take species recorded on the Marine Mammal, Sea Turtle and Sea Bird Incidental Take Log.

30. POS 1: Record the latitude of the end haul position where the marine mammal, sea turtle or sea bird was incidentally taken on this trip. **Do not record LORAN in this field.**

31. POS 2: Record the longitude of the end haul position where the marine mammal, sea turtle or sea bird was incidentally taken on this trip. **Do not record LORAN in this field.**

32. SAMPTAKEN: Record whether any samples were taken from the animal listed in SPECIES (#29).

N = No. If no samples are taken, record the reason in NOTES (#34).

Y = Yes. If Yes, please complete SAMPLOC (#33).

33. SAMPLOC: Record the specific storage location of the incidental take samples taken on this trip.

Example: Observer's Freezer
NEFOP Tech Park

NOTE: This field will only accept 20 characters. Please use the

NOTES (#34) tab if more space
is needed.

34. NOTES: Record any additional information regarding the incidental take(s) in this field. **Record the complete alphanumeric number(s) from the tag(s) that you attach, or that were already attached to the animal in this field. Be sure to include the PSID number with the corresponding tag number.**

Example: D09999.

If you enter any information in this field, click on **"ok"** to save the information and you will be brought back to the INC tab.